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**FROM:** Charles F. Wieland III  
Reference No. 1033262-000003

Telephone #: 703 838 6604

Date 10/2/2008

**Additional Comments or Instructions:**

Re: U.S. Patent Application No. 09/955,939  
Appeal No. 2008-3185

Dear Sirs,

Attached is a signed copy of the Notice of Hearing confirming our attendance at the November 18, 2008 Oral Hearing.

Very truly yours,

Charles F. Wieland III

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**UNITED STATES PATENT AND TRADEMARK OFFICE**

Board of Patent Appeals and Interferences

BUCHANAN, INGERSOLL & ROONEY  
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Appeal No: 2008-3185  
 Appellant: Jonathan R. Merrill  
 Application No: 09/955,939  
 Hearing Room: A  
 Hearing Docket: B  
 Hearing Date: Tuesday, November 18, 2008  
 Hearing Time: 09:00 AM  
 Location: Madison Building - East Wing  
 600 Dulany Street, 9th Floor  
 Alexandria, Virginia 22313-1450

**NOTICE OF HEARING  
CONFIRMATION REQUIRED WITHIN TWENTY-ONE DAYS**

Your attention is directed to 37 CFR § 41.47. The above identified appeal will be heard by the Board of Patent Appeals and Interferences on the date indicated. Hearings will commence at the time set and as soon as the argument in one appeal is concluded, the succeeding appeal will be taken up. The time allowed for argument is twenty minutes unless additional time is requested and permitted before the argument is commenced. If there are any inquiries, please contact the Clerk of the Board at 571-272-9797.

The application involved in this appeal has been published. Accordingly, the hearing in this appeal is open to the public.

**CONFIRMATION OR WAIVER OF THE HEARING IS REQUIRED.** This form must be completed below and facsimile transmitted to both: (1) the USPTO Central fax number (official copy), and (2) the Board of Patent Appeals and Interferences fax number (courtesy copy) within TWENTY-ONE (21) DAYS from the mailing date of this notice indicating confirmation or waiver of the hearing. A copy of this notice may be alternately filed by mail if facsimile is not available.

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 United States Patent and Trademark Office  
 P.O. BOX 1450  
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In all communications relating to this appeal, please identify the appeal by its number.

HEARING ATTENDANCE CONFIRMED       HEARING ATTENDANCE WAIVED

Signature of Attorney/Agent/Appellant

Date

Registration No.

Names of other visitors expected to accompany counsel:

For information on visitor access to hearing rooms and security procedures at the USPTO Alexandria Campus, see  
[http://www.uspto.gov/about/offices/compliance/contact.htm#main\\_contacts](http://www.uspto.gov/about/offices/compliance/contact.htm#main_contacts)